



South Florida Water Management District

MINUTES GOVERNING BOARD WORKSHOP

May 9, 2007

10:00 AM

Okeechobee Shrine Club
1855 SW 53rd Street
Okeechobee, Florida 34974

Members Present:

Eric Buermann, Chair

Michael Collins

Charles Dauray

Shannon Estenoz

Nicolás Gutiérrez, Vice-Chair

Lennart Lindahl

Kevin McCarty,

Harkley Thornton

Malcolm Wade

1. Call to Order - Kevin McCarty, Chair, Governing Board

Chair McCarty called the meeting to order at 10:17 am.

Chair McCarty introduced new Governing Board members Eric Buermann, Charles Dauray and Shannon Estenoz.

2. Pledge of Allegiance - Kevin McCarty, Chair, Governing Board

Chair McCarty lead the group in the pledge of allegiance.

3. Approval of Minutes from the last month's Governing Board Meeting

Minutes from April 11, 2007, Workshop and Strategic Planning Retreat, in Palm Beach Gardens, FL and Minutes from April 12, 2007, Governing Board Meeting in West Palm Beach, FL

Motion made by Michael Collins, seconded by Nicolás Gutiérrez to Approve the following item(s): 3

Vote called. Voting yes: Michael Collins, Nicolás Gutiérrez, Eric Buermann, Charles Dauray, Shannon Estenoz, Lennart Lindahl, Kevin McCarty, Harkley Thornton, Malcolm Wade. Motion passed.

4. Agenda Addendum

Jacki McGorty, District Clerk, read into the record the agenda addendum. Copies were made available to the public.

5. Pull Items for Discussion from Governing Board Meeting Agenda

There were no items pulled from the Consent agenda to the Discussion agenda.

6. Water Shortage Conditions and Update - Terrie Bates

Terrie Bates, Assistant Deputy Executive Director, provided an update on the Water Shortage Conditions.

Ms. Bates reported on the elevation of Lake Okeechobee, the drought and economic impacts. Ms. Bates also reported on the water cutbacks in the Indian Prairie and the Lakeshore perimeter, and the deviation/alternatives for Lake Istokpoga.

Staff's recommendation for Board approval tomorrow is to modify Phase III cutback plan for Lake Istokpoga, Indian Prairie and the Lakeshore Perimeter water restrictions and Operations.

Ms. Bates also provided information on the Lake Okeechobee Service Area Water Restrictions.

7. Lake Okeechobee Conditions Report - Susan Gray

Susan Gray, Deputy Director, Watershed Management, provided an update on Lake Okeechobee's water conditions.

Dr. Gray reported on the water quality and submerged aquatic vegetation of Lake Okeechobee. Dr. Gray also provided an update of the water level of Lake Okeechobee.

Dr. Gray reported on the Lake's navigational locks and the muck removal projects. Dr. Gray also provided information on the re-direction of funds due to the muck removal projects.

Public Comment: Wayne Nelson representing the Fisherman Against the Destruction of the Environment, Inc., provided comment on Lake Okeechobee's water and fishing conditions.

Public Comment: Captain Chris Chesley representing the Okeechobee Habitat Alliance, Inc., provided comment on the prescribed burnings on Lake Okeechobee.

8. Okeechobee Field Station Overview - Terry Peters

A written report was provided.

9. Presentations from Local Government Officials - Benita Whalen to introduce:

Glades County - Butch Jones, Chairman, County Commission

City of Moore Haven - Bret Whidden, Mayor

Highlands County - Edgar Stokes, Vice Chair, County Commissioner & Carl Cool, County Administrator

City of Okeechobee - Jim Kirk, Mayor

Okeechobee County - Ray Domer, Chairman, County Commissioner

Butch Jones, Chairman, Glades County Commission, thanked the Board for continued funding for Lake Okeechobee. Commissioner Jones reported on water conservation, reclaimed water and the pollution in Lake Okeechobee.

Edgar Stokes, Vice Chair, Highlands County, thanked the Board for funding the park on the Istokpoga Canal and the replacement of G-85.

Carl Cool, Highlands County Administrator, provided information on the drought and the temporary deviation schedule for Lake Istokpoga. He thanked the Board for continued support with Highlands County.

Ray Domer, Chairman, Okeechobee County Commission, provided comment on the funding for Lake Okeechobee muck removal, and the monitoring of water use. Commissioner Domer supports the Board and thanked District staff for their continued efforts.

11. Local Landowners - Benita Whalen to introduce Bob Butler and Mike Milicevic

Bob Butler, Butler Oaks Farm, Inc., local landowner, presented information on environmental stewardship, and reported on the operations of Butler Oaks Farm.

Ms. Estenoz thanked Mr. Butler for his presentation.

Ms. Whalen presented a plaque of appreciation to Mr. Butler and announced that Mr. Butler has been nominated for the FDACs Agriculture Environmental Leadership Award.

Mike Milicevic, General Manager, Lykes Brothers, provided an update on agricultural impacts due to the drought. He reported on the Lykes Brothers forestry operation, the increased costs to feed the cattle, and the lowering water table around Lake Okeechobee.

Mr. Wade thanked Mr. Milicevic for his presentation on the agricultural issues.

Public Comment: Joe Pearce, Indian Prairie Cattle Co., provided comment on the Indian Prairie canal and also suggested organizing an Agriculture Advisory Committee during this drought.

Mr. Collins reported on the WRAC Committee and suggested to Mr. Pearce he attend these meetings because they discuss agricultural concerns.

12. Northern Everglades Update - Carol Wehle / Ernie Barnett

Carol Wehle provided an update on the sub-tropical storm Andrea which was located off Jacksonville.

Ernie Barnett, Director of Policy and Legislation provided an update on the Northern Everglades Legislation.

The Northern Everglades legislation provides a dedicated state funding source for the Northern Everglades restoration.

The Bill will also extend the state's commitment to provide funding for CERP and the Northern Everglades through the year 2020.

Mr. Barnett reported on the key components for the Northern Everglades Legislation. They are:

- Development of a technical plan to identify the storage and water quality treatment requirements for the Lake Okeechobee watershed by February 2008.
- Development of the Caloosahatchee and St. Lucie Estuaries Watershed Plans to identify watershed storage projects and water quality targets by March 2009.
- Implementation of projects to meet the Lake Okeechobee Total Maximum Daily Load of 140 metric tons of phosphorus to the Lake by 2015.
- The watershed protection plans will be the basis for Basin Management Action Plans (BMAPs).
- Data used in the technical plans will be updated every three years.
- The estuary technical plans will establish salinity goals and targets for each estuary.

Mr. Lindahl provided comment on the discharges to the estuaries. He reported on the funding process, outsourcing of services, and staffing issues.

Mr. Wade reported on the strategic and restoration plan for the Northern Everglades. He requested monthly updates to WRAC and the Lake Okeechobee Committee.

Ms. Wehle provided comment on the funding matches for the Northern Everglades.

Mr. Dauray acknowledged Senator Saunders and Representative Williams for their efforts on this legislation.

Mr. Collins requested contacting the stakeholders for recommendations of increased representation on the WRAC Lake Okeechobee Committee.

Ms. Estenoz commended Mr. Barnett and Mr. Wallace for their efforts during the legislative session.

Mr. Barnett reported on the property tax reform. The special session will begin on June 12th.

Mr. Barnett reported on HB 197 which allows the District to create basin specific criteria in our Environmental Resource Permits (ERPs) and allows for a reduction in phosphorus loads in issuing ERPs.

Mr. Barnett also reported on Senate Bill 1680 Herbert Hoover Dike Memorial; Senate Bill 2770 Complete Federal Funding for Comprehensive Everglades Restoration; Senate Bill 2776 Venomous Reptiles and Reptiles of Concern.

Public Comment: Patrick Hayes representing the Loxahatchee River Coalition reported on the coastal estuaries and Lake Okeechobee. Mr. Hayes thanked Mr. Barnett and Mr. Wallace for their efforts on this legislation. Mr. Hayes said this is fundamental to the life and vitality of the coastal estuaries and Lake Okeechobee.

Public Comment: Paul Gray representing Audubon of Florida, thanked Mr. Barnett & Mr. Wallace for their efforts during the legislation process and said he is very excited about the technical plan for the Northern Everglades Bill.

Ms. Estenoz requested a briefing on water storage north of Lake Okeechobee.

13. Okeechobee Agricultural Program Update, Florida Department of Agricultural and Consumer Services (FDACS) - Bo Griffin

Bonnie Wolf, Florida Department of Agricultural and Consumer Services (FDACS), provided an update on the Okeechobee Agricultural Program.

Ms. Wolf reported on FDACS Conservation Plan. The plan qualifies producers for federal funding.

Ms. Wolf reported on the Florida Farms Bureau CARES (County Alliance for Responsible Environmental Stewardship) Program which is done on a county-wide basis.

Ms. Wolf reported that conservation planning is complete and implementation is in progress. There are 400,000 acres in the watershed participating with FDACS Conservation Plan.

14. Total Maximum Daily Loads (TMDLs) Update, Florida Department of Environmental Protection (FDEP) - Frank Nearhoof

This item was postponed.

15. Regulation Schedule & Herbert Hoover Dike, Army Corp of Engineers (ACOE) - Pete Milam & Major Dominic Ciaramitaro

Dennis Duke, U.S. Army Corps of Engineers, provided an update on the Regulation Schedule Study and the Herbert Hoover Dike.

Mr. Duke provided background information for the Lake Okeechobee Regulation Schedule. The ACOE intent was to revise the current Lake Okeechobee Regulation Schedule to reduce high regulatory releases and improve ecological conditions in the estuaries and Lake Okeechobee.

Mr. Duke requested District staff revisit the Supply Side Management rules and MFLs.

Mr. Duke requested permission to release the draft Regulation Schedule and allow for the official public comment period.

Mr. Collins provided comment on unintended consequences, the impact to the estuaries and revising the Minimum Flows and Levels (MFLs).

Mr. Merriam reported on the drought, Supply Side Management, MFLs and the discharges to the estuaries.

Mr. Wade provided comment on the estuaries, water supplies and MFLs.

Mr. Wade said the repairs to the Herbert Hoover Dike need to be done as quickly as possible.

Mr. Lindahl provided comment on the rehabilitation of the Herbert Hoover Dike, the deficiencies in water supplies, the utilization of forward pumps and MFLs.

Ms. Estenoz asked about the timeframe for the repairs of the Herbert Hoover Dike.

Mr. Duke provided additional information pertaining to this issue.

Public Comment: Paul Gray, Audubon of Florida, provided comment on adopting the Tentative Selected Plan (TSP) and also provided comment on the WSE.

Public Comment: Tom MacVicar, representing Lake Okechobee Service Area (LOSA) provided comment on the regulation schedule and water supplies.

Mr. Collins had concerns about the unintended consequences and made a recommendation that the ACOE meet with District staff and revisit this Regulation Schedule.

Mr. Wade reported on the Environmental Impact Statement (EIS), the Regulation Schedule and rulemaking.

Ms. Estenoz requested the ACOE work with District staff and provide an update next month.

16. Herbert Hoover Dike Rehabilitation Spillway and Flowway, ACOE - Dennis Duke.

Dennis Duke, U.S. Army Corps. of Engineers, provided an update of the rehabilitation of the Herbert Hoover Dike. He reported on the Rehabilitation Implementation Reach 1, the rehabilitation schedule based on current funding levels, and the Herbert Hoover Dike Risk mitigation. Mr. Duke reported on the rehabilitation for Reach 2 & 3.

Mr. Wade reported on the spillway plan and the impacts to the estuaries.

Mr. Lindahl commented on modified water deliveries.

Ms. Estonez provided comment on modified water deliveries, decompartmentalization and the Aquifer, Storage & Recovery (ASR) Contingency Plan.

Mr. Collins provided comment on constraints and said the ACOE is doing a great job.

Public Comment: Pete Quasius, representing Audubon of Southwest Florida and Collier County, reported on the Northern Everglades legislation. He reported on Lee County's water improvement plan.

Mr. Collins provided introductory information on the Plan 6 Flowway.

Tommy Strowd, Deputy Executive Director, provided information on the flowway issues, the Stormwater Treatment Areas and Reservoirs in the EAA. He reported on the funding for the flowway.

Ms. Estonez provided comment on the concept of flowway and how this is presented to the stakeholders. There needs to be clear communication.

Mr. Collins reported on the impacts sending water south.

Mr. Dauray asked about the water flow into the Everglades National Park.

Mr. Collins reported on the modified water deliveries.

Mr. Wade provided comment on the regulatory discharges in the past, the Everglades and the EAA.

Ms. Estenoz provided comment on the EAA, flowway, and storage south and north of the Lake Okeechobee.

Mr. Wade provided additional information on storage, flowway, and shared adversity.

20. Adjourn

Chair McCarty adjourned the meeting at 4:00 pm.

Kevin McCarty
Chairman
South Florida Water Management District Governing Board

Recorded By:

Cathy Widness
Administrative Assistant Senior
Governing Board and Executive Services
SFWMD